

UNITED STATE DISTRICT COURT  
DISTRICT OF MAINE

|                                |   |                            |
|--------------------------------|---|----------------------------|
| BRYAN REPETTO,                 | ) |                            |
|                                | ) |                            |
| Plaintiff                      | ) |                            |
|                                | ) |                            |
| v.                             | ) | Civil Action No. 08-CV-101 |
|                                | ) |                            |
| ST. MATTHEW'S UNIVERSITY, INC. | ) |                            |
|                                | ) |                            |
| Defendant                      | ) |                            |

**MOTION TO AMEND COMPLAINT TO JOIN PARTY, WITH INCORPORATED  
MEMORANDUM OF LAW**

Pursuant to the amended Scheduling Order issued by the Court in the above-captioned matter, Plaintiff Bryan Repetto moves this Court to allow him to amend his complaint in the form attached to join an additional party-Defendant, St. Matthew's University (Cayman) Ltd. The grounds for this motion are as follows:

1. On August 11, 2008, Plaintiff received Defendant's Answers to Interrogatories.
2. In Defendant's answers, it identified St. Matthew's University (Cayman) Ltd. as a subsidiary entity to it, and stated that it was that entity with which Plaintiff interacted during the course of his studies at St. Matthew's University. In addition, in its Answer to Plaintiff's Complaint, Defendant affirmatively alleged that a subsidiary of it owned and operated the school.
3. Based on discovery to date, it appears to Plaintiff that both Defendant and St. Matthew's University (Cayman) Ltd. may be involved in the ownership and operation of the school.
4. Addition of St. Matthew's University (Cayman) Ltd. as a Defendant is necessary to ensure a full and fair resolution of this matter, and to ensure that complete relief can be afforded to the parties. In his amended complaint, Plaintiff seeks relief against both St.

Matthew's University (Cayman) Ltd. and Defendant for the same claims, arising out of the same facts. Accordingly, joinder is proper pursuant to Rules 19 and 20 of the Federal Rules of Civil Procedure.

5. In his amended complaint, Plaintiff also has withdrawn his claim for return of his housing deposit, since the parties have resolved that claim via settlement.
6. This amendment is timely, pursuant to the revised Scheduling Order issued by the Court.
7. Defendant will not be unduly harmed by the relief requested in this motion. The addition of St. Matthew's University (Cayman) Ltd. is based on Defendant's representation that it is that entity with which Plaintiff dealt. Moreover, St. Matthew's University (Cayman) Ltd. is a subsidiary of Defendant.
8. Undersigned counsel has been unable to reach counsel for Defendant to determine whether it has any objection to the relief requested in this motion.

WHEREFORE, Plaintiff Bryan Repetto respectfully requests that the Court grant his Motion to Amend his Complaint, in the form attached.

Dated: August 15, 2008

/s/ Barbara L. Goodwin  
Counsel for Plaintiff Bryan Repetto

MURRAY, PLUMB & MURRAY  
75 Pearl Street, P.O. Box 9785  
Portland, ME 04104-5085  
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### **CERTIFICATE OF SERVICE**

I hereby certify that on August 15, 2008, I electronically filed the following document(s):

- 1) PLAINTIFF'S MOTION TO AMEND COMPLAINT TO JOIN PARTY,  
WITH INCORPORATED MEMORANDUM OF LAW

with the Clerk of Court using the CM/ECF system which will send notification of such filing(s) to the following:

GAIL CORNWALL, ESQ. – [gcornwall@eapdlaw.com](mailto:gcornwall@eapdlaw.com)

and I hereby certify that on August 15, 2008, I mailed by U.S. Postal Service, the document(s) to the following non-registered participants:

None.

/s/ Barbara L. Goodwin  
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